

**DARBY &
DARBY**

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FILE #: 3193/0E966

DATE: September 17, 2001

NUMBER TRANSMITTING TO: 703-305-9822

RECIPIENT: Marian Hines

COMPANY: USPTO

FROM: Gabriella Karaszi 212-527-7792

NUMBER OF PAGES TRANSMITTING
(INCLUDING COVER SHEET)*: 13

CONFIRMATION OF THIS TRANSMISSION WILL FOLLOW BY
FIRST CLASS/AIR MAIL:

COMMENTS:

Per our conversation on Friday, attached are the submissions made by us to complete the application. I was told by Ms. Johnson on 3/29/00 that no response was necessary. Please see what happened that this case has been terminated. My direct line is 212-527-7792.

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE SO THAT WE CAN ARRANGE FOR THE RETRIEVAL OF THIS DOCUMENT AT NO COST TO YOU. THANK YOU.

PLEASE RETURN TO Gabriella

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/218,761	12/22/1999	DIRK NEUBAUER	2338/OE966

HENRY STERNBERG
DARBY & DARBY
805 THIRD AVENUE
NEW YORK, NY 10022CONFIRMATION NO. 2666
ABANDONMENT/TERMINATION
LETTER

OC00000006388068

Date Mailed: 08/06/2001

NOTICE OF TERMINATION OF PROCEEDINGS UNDER 37 CFR 1.53(e)

Proceedings on the above-identified application number are **TERMINATED**.

The application did not meet the requirements of 37 CFR 1.53(b), (c), or (d) to be entitled to a filing date, and the filing error(s) specified in the Notice mailed on were not timely corrected (37 CFR 1.53(e)).

The \$ 1280 fee submitted with the application, less a \$130.00 handling fee, will be refunded or credited to your deposit account.

*A copy of this notice **MUST** be returned with the reply.***Bechie B. Day**

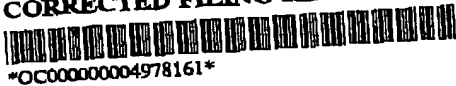
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Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

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CORRECTED FILING RECEIPT



OC00000004978161

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: ASSISTANT SECRETARY AND
COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REG'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/218,761	12/22/1999	3681	1280	2338/OE966	9	1	1

HENRY STERNBERG
DARBY & DARBY
805 THIRD AVENUE
NEW YORK, NY 10022

Date Mailed: 03/01/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

DIRK NEUBAUER, NACHRODT-WIBLINGWERDE, GERMANY ;
DIRK HEINTZEN, HAGEN, GERMANY ;
DETLEF AXMACHER, ISERLOHN, GERMANY ;

Continuing Data as Claimed by Applicant

Foreign Applications

GERMANY 197 57 471.8 12/23/1997

Foreign filing license granted on 01/22/1999

Title

TRANSMISSION

Preliminary Class

477

Data entry by : JOHNSON, TRACEY

Team : OIPE

Date: 03/01/2000

1. NOTICE: THIS RECEIPT IS NOT VALID UNLESS IT IS SIGNED BY THE ASSISTANT SECRETARY AND COMMISSIONER OF PATENT AND TRADEMARKS. IT IS NOT VALID IF IT IS SIGNED BY ANY OTHER OFFICIAL OF THE PTO.

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

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2/29/00 4:35 PM

CORRECTION COVER LETTER

OC000000004977970

UNITED
Patent and Tr.Address: COMMISSION
Washington, D.C. 20540

AND TRADEMARKS

no Resp. Necc.
per T. Johnson
3/29/00

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/218,761	12/22/1999	DIRK NEUBAUER	2338/OE966

HENRY STERNBERG
DARBY & DARBY
805 THIRD AVENUE
NEW YORK, NY 10022

Date Mailed: 03/01/2000

COVER LETTER FOR CORRECTION OF PREVIOUS NOTICE

The Notice mailed on 09/28/1999 was sent in error and is hereby withdrawn. A corrected Notice is enclosed. The time period for reply runs from the mail date of the corrected Notice. We apologize for any inconvenience this caused.

A copy of this notice MUST be returned with

Tracey Johnson

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Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

Called TJ@
PTO - 3/7/00
3/17/00

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2/29/00 4:26 P

FORMALITIES LETTER



OC000000004978138

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/218,761	12/22/1999	DIRK NEUBAUER	2338/OE966

HENRY STERNBERG
DARBY & DARBY
805 THIRD AVENUE
NEW YORK, NY 10022

Date Mailed: 03/01/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The application was filed in a language other than English.

A copy of this notice MUST be returned with the reply.

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PART 2 - COPY TO BE RETURNED WITH RESPONSE

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APPS/preexam/correspondence/1.htm

NO RESP. NECC.
Per T. Johnson
3/29/00DEPARTMENT OF COMMERCE
PATENT AND TRADEMARKS

ATTY. DOCKET NO./TITLE

2338/OE966

Date Mailed: 03/01/2000

NOTICE

Notice is enclosed. The
inconvenience this

CC

The Notice mailed on ()
time period for reply ()
caused.Called TJ@
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TRACEY JOHNSON

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PART 1 - ATTORNEY/APPLICANT COPY

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Return of this card properly stamped, will acknowledge receipt of:
Completion of Patent Application:
Specification (26 pages w/Abstract),
Pet. for Ext. of Time (5 months),
Declaration (5 pages)
Assignment (w/PTO-1595 4 pages)

t of:

Check No. 8933 for \$1,320.00
Check No. 8934 for \$1,850.00

Applicant : Dirk Neubauer et al.
Serial No. : 09/218,761
Filed : 12/22/98
For : TRANSMISSION

Attorney : H.STERNBERG/PKK/eag
File No. : 2338/OE966

Return of this card properly stamped, will acknowledge receipt of:
Completion of Patent Application:
Specification (26 pages w/Abstract),
Pet. for Ext. of Time (5 months),
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Applicant : Dirk Neubauer et al.
Serial No. : 09/218,761
Filed : 12/22/98
For : TRANSMISSION

Attorney : H.STERNBERG/PKK/eag
File No. : 2338/OE966

Mailed : 8-24-99

M:12338(OE966)EAG7617

Mailer: DP



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Completion of Patent Application:

Specification (26 pages w/Abstract),

Pet. for Ext. of Time (5 months),

Declaration (5 pages)

Assignment (w/PTO-1595 4 pages)

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Applicant : Dirk Neubauer et al.

Serial No. : 09/218,761

Filed : 12/22/98

For : TRANSMISSION

Attorney : H. STERNBERG/PKK/eag

File No. : 2338/0E966

Mailed : 8-24-99

Mailer: DP

M-12338/0E966/EAG7617

DARBY & DARBY PROFESSIONAL PATENT OFFICE 805 THIRD AVE. NEW YORK, NY 10022		1-81640 210 43348074 DATE <u>8-24-99</u>	8933
PAY TO THE ORDER OF		COMMISSIONER OF PATENTS & TRADEMARKS	
One Thousand Three hundred Twenty		\$ 1,320 ⁰⁰ / _{XY}	
CITIBANK CITIBANK N.A. 133 EAST 53RD STREET 30RT #2418 NEW YORK, NY 10043		THE CITIBANK PRIVATE BANK	
MEMO <u>218,761 / 0E966</u>		<u>Gabriella Karaszi</u>	
⑆0210000089⑆ 43348074⑆		8933	

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One Thousand Eight hundred Fifty		\$ 1,850 ⁰⁰ / _{XY}	
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MEMO <u>218,761 / 0E966</u>		<u>Gabriella Karaszi</u>	
⑆0210000089⑆ 43348074⑆		8934	

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CERTIFICATE OF MAILING

I hereby certify that this paper and every paper referred to therein as being enclosed is being deposited with the U.S. Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner of Patents & Trademarks, Washington, DC 20231,

on August 24, 1999 (Date of Deposit)

8/24/99
Date

Beck
Name

File No.: 2338/OE966

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Dirk Neubauer, Dirk Heintzen and Detlef Axmacher

Serial No.: 09/218,761

Filed: 12/22/98

For: TRANSMISSION

Hon. Commissioner of
Patents and Trademarks
Washington, DC 20231

Sir:

COMPLETION OF PATENT APPLICATION

The following items are submitted herewith in completion of the above-identified patent application:

1. Declaration, petition and power of attorney
2. Check in the amount of \$1,320.00, (\$760.00 filing; \$40.00 recording, \$130.00 late filing fee; \$130.00 english translation, \$260.00 multiple claims) (See attached Fee Computation Sheet)
3. [X] Assignment for recording to: AFT Atlas Fahrzeugtechnik GmbH

The Patent Office is authorized to charge any deficiency in the above

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File No.: 2338/0E966

PATENT FEE COMPUTATION SHEET

	No. of Claims Presented	Extra Claims Previously Paid For	Number of Extra Claims	Rate
Basic Fee				\$760.00
Total Claims	20 - 20	0 - =	x \$18.00	\$0.00
Independent Claims	2 - 3	0 - =	x \$78.00	\$0.00
Multiple Dependent Claims		x- if so, add	\$260.00	\$260.00
Surcharge for late submission of filing fee and/or declaration (\$130.00)				\$130.00
SUBTOTAL				\$1,150.00
Fee for recordation of assignment (\$40.00)				\$40.00
Charge for filing non-English language application (\$130.00)				\$130.00
TOTAL				\$1,320.00

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AFT Atlas
Fahrzeugtechnik GmbH
58771 Werdohl

A 0072 A US

Patent Claims

1. Gearbox with an actuating device for automated shifting and selection of a gear ratio, the gearbox having a gearbox operating element which is arranged to set the gear ratio and can be activated by means of an operating actor.
2. Gearbox with an actuating device for automated shifting and selection of a gear ratio, the gearbox having a gearbox operating element which is arranged to set the gear ratio and can be activated by means of an operating actor, the operating actor having a drive with a drive output element which, in response to a swivel movement of the drive output element, carries out a movement to engage a gear ratio or select a shift slot and at the same time acts upon a force accumulator which activates an intermediate element to operate the gearbox operating element for selection or shifting, the activation of the intermediate element being limited to a predetermined position by means of at least one retaining element.
3. Gearbox according to claim 1 or 2, characterized in that the gearbox operating element is a central shifting shaft, by means of which on axial displacement of the shifting shaft, engagement of a gear ratio and, on rotation of the gear shaft, selection of a shift slot can be carried out.

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 Patent and Trademark Office
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 Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/219,761	12/22/98	NEUBAUER	2338/DE966

HENRY STERNBERG
 DARBY & DARBY
 805 THIRD AVENUE
 NEW YORK NY 10022

0222/0125
 DUE: MARCH 25, 1999
 Docketed on 1/28 by DP for
 Docketed without file

NOT ASSIGNED

0000
 DATE MAILED:

01/25/99

8-25-99

Attorney [Signature]
NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27, or \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a
☐ small entity (statement filed) ☒ non-small entity is \$ 1,020.

☒ 1. The statutory basic filing fee is:

- ☒ missing.
☐ insufficient.

Applicant must submit \$ 760 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. Additional claim fees of \$ _____, including any multiple dependent claim fees, are required.

\$ _____ for _____ independent claims over 3.

\$ _____ for _____ dependent claims over 20.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unexecuted.

☐ does not cover the newly submitted items.

☐ does not identify the application to which it applies.

☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment.

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☒ 9. OTHER: Non-English Specification filed (\$130 - Surcharge)

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice **MUST** be returned with the reply.

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